



Stormwater General Permit NVR050000

State of Nevada

Division of Environmental Protection

General Permit

In compliance with the provisions of the Federal Clean Water Act as amended (33 U.S.C. 1251 et seq: the "Act") and Chapter 445A of the Nevada Revised Statutes (NRS), eligible dischargers who have submitted a Notice of Intent, filing fee, and have a Stormwater Pollution Prevention Plan(s) completed and maintained on the Permittee's site location in accordance with this permit, are authorized to discharge

Stormwater Associated with Industrial Activity

To:

Waters of the United States

in accordance with the conditions set forth in Parts I and II hereof.

This permit shall become effective on April 11, 2003.

This permit and the authorization to discharge shall expire at midnight April 10, 2008.

Signed this 16<sup>th</sup> day of APRIL, 2003

A handwritten signature in cursive script, reading "Clifford M. Lawson", is written over a horizontal line.

Clifford M. Lawson  
Bureau of Water Pollution Control

**Part I      SPECIFIC CONDITIONS**

**I.A          PERMIT COVERAGE**

- I.A.1            Objective: The objective of this permit is to control and reduce pollution of Waters of the U.S. from Stormwater Discharges associated with Industrial Activity through the use of Best Management Practices (BMPs).
- I.A.2            Stormwater Discharge Associated with Industrial Activity is defined at 40 CFR §122.26(b)(14).
- I.A.3            *Waters of the U.S.* is defined at 40 CFR §122.2. Discharges to storm drain systems that in turn discharge to Waters of the U.S. are considered to be discharges to Waters of the U.S.
- I.A.4            *Best Management Practice* (BMP) is defined at 40 CFR §122.2 and in addition the term shall include erosion and sediment controls, stormwater conveyance, stormwater diversion, and treatment structures, and any procedure or facility used to minimize the exposure of pollutants to stormwater or to remove pollutants from stormwater.
- I.A.5            Eligibility, Request for Inclusion, Continuation of Coverage
- I.A.5.a            Eligibility: This general permit authorizes Stormwater Discharges Associated with Industrial Activity to Waters of the U.S as defined by certain sectors within 40 CFR §122.26(b)(14).
- I.A.5.b            Stormwater Discharges Associated with Industrial Activity for this permit are defined as:
- I.A.5.b.(i)            Facilities subject to stormwater effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR subchapter N (except facilities with toxic pollutant effluent standards which are exempted under category (ix) in this section);
- I.A.5.b.(ii)            Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28 (except 283), 29, 31, 32 (except 323), 33, 344, 373;
- I.A.5.b.(iii)            Facilities classified as Standard Industrial Classifications 11 through 14 (mineral industry) including active or inactive mining operations (except for certain areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR

434.11(1), or except for areas of non-coal mining operations which have been released from applicable State or Federal reclamation requirements after December 17, 1990) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge stormwater contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; (inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator; inactive mining sites do not include sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, nor sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim);

- I.A.5.b.(iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under subtitle C of Resource Conservation and Recovery Act (RCRA);
- I.A.5.b.(v) Landfills, land application sites, and open dumps that receive or have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under subtitle D of RCRA;
- I.A.5.b.(vi) Facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;
- I.A.5.b.(vii) Steam electric power generating facilities, including coal handling sites;
- I.A.5.b.(viii) Transportation facilities classified as Standard Industrial Classifications 40, 41, 42 (except 4221-25), 43, 44, 45, and 5171 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified under paragraphs (b)(14) (i)-(vi) or (viii)-(ix) of this section are associated with industrial activity;

- I.A.5.b.(ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with section 405 of the CWA; and,
- I.A.5.b.(x) Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, and 4221-25.
- I.A.5.c This permit does not authorize the following:
- I.A.5.c.(i) Mineral Industry Facilities defined within SIC code 10 under Category III of 40 CFR §122.26(b)(14); or
- I.A.5.c.(ii) Construction activity defined under Category X of 40 CFR §122.26(b)(14).
- I.A.5.d Request for Inclusion:
- I.A.5.d.(i) Eligible dischargers seeking authorization to discharge under this general permit shall submit a completed NOI (Exhibit A) on a form approved by the Division. A completed NOI and applicable filing fee must be submitted by the Operator of the Industrial Facility. Operators are defined as individuals that have the day-to-day operational control of those activities at the project necessary to ensure compliance with SWPPP requirements or other permit conditions. Provisional authorization begins 48 hours after a completed NOI is postmarked for delivery to the Division. If the Division provides for electronic submission of NOIs during the term of this permit, provisional authorization begins 24 hours following receipt of the electronic NOI form by the Division. Following review of the NOI, the Division may determine the NOI is complete and confirm coverage by providing a notification and an authorization number, determine the NOI is incomplete and deny coverage until a completed NOI is submitted, or deny coverage and require an application for an individual permit be submitted. Application deadlines are as follows:

- I.A.5.d.(i).(a) Existing Industrial Facilities - Facilities that are authorized under the existing National Pollutant Discharge Elimination System (NPDES) permit for discharges associated with industrial activity must submit an NOI within 90 days following the effective date of this permit.
- I.A.5.d.(i).(b) New Industrial Facilities - An NOI must be submitted at least 48 hours before a discharge of stormwater associated with industrial activity occurs.
- I.A.5.d.(i).(c) New Operator - Permit coverage may not be transferred. When the ownership of a facility changes, the new operator must submit an NOI at least 10 calendar days before the change in ownership. The previous operator must submit a Notice of Termination (NOT) at least 10 days before the change in ownership.
- I.A.5.e Terminating Coverage
- I.A.5.e.(i) A Permittee may terminate coverage under this general permit by providing a NOT on a form approved by the Division. Authorization to discharge terminates at midnight on the day that an NOT is postmarked for delivery to the Division. If the Division provides for an electronic submission of a NOT during the term of this permit, authorization to discharge terminates 24 hours following receipt of the electronic NOT form by the Division. A NOT must be submitted within 10 days after the facility ceases discharging stormwater associated with industrial activity, obtains coverage under an individual permit, obtains coverage under an alternative general permit, or within 10 days before transfer of ownership or responsibility of the facility.
- I.A.5.f Authorization
- I.A.5.f.(i) Eligible dischargers shall be included in this permit effective upon the authorization date.
- I.A.5.f.(ii) The authorization date shall be:
- I.A.5.f.(ii).(a) The date the Notice of Intent, and filing fee are received and approved by the Division, or

- I.A.5.f.(ii).(b) The effective date of this permit for all holders of expired general permit GNV0022233 that have submitted a new Notice of Intent for this permit.
- I.A.5.f.(iii) An authorization letter will be sent to the general permit holder stating the authorization date. Special conditions may be included.
- I.A.5.f.(iv) During the period beginning on the authorization date and lasting until permit coverage is terminated, the Permittee is authorized to discharge:
- I.A.5.f.(iv).(a) Stormwater Associated with Industrial Activity to Waters of the U.S. in accordance with the Stormwater Pollution Prevention Plan and the conditions of this permit.
- I.A.5.g Miscellaneous Non-stormwater Discharges:
- I.A.5.g.(i) Permittees authorized under this permit may be authorized for certain miscellaneous non-stormwater discharges and if those discharges are not significant contributors of pollutants. Such discharges may include: discharges from fire hydrant flushings; waters used to wash vehicles where detergents are not used; water used to control dust; potable water sources including waterline flushings; routine external building wash down which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; uncontaminated ground water or spring water; and foundation or footing drains where flows are not contaminated with process materials such as solvents. BMPS shall be implemented if needed to minimize impacts of these discharges. Non-stormwater discharges that are significant contributors of pollutants shall be eliminated or authorized under a separate permit. Although fire-fighting drainage may contain significant pollutant concentrations, the frequency of occurrence is low and the discharge is hereby authorized out of necessity.
- I.A.5.h Requirement for Individual Permit:
- I.A.5.h.(i) The Division may require the holder of a general permit to apply for and obtain an individual permit in accordance with NAC 445A.269.

I.A.5.i Notice of Intent (NOI) requirements

I.A.5.i.(i) The minimum information required on a NOI consists of:

I.A.5.i.(i).(a) Owner Information - The name, address, and telephone number of the owner filing for permit coverage;

I.A.5.i.(i).(b) The legal status of the owner (e.g. federal, state, tribal, private or public entity);

I.A.5.i.(i).(c) Operator Information - The name, address, and telephone number of the operator of the site;

I.A.5.i.(i).(d) Site Information – including the name, address, county, and latitude and longitude of the site;

I.A.5.i.(i).(e) The name of the receiving water;

I.A.5.i.(i).(f) A certification that a SWPPP has been developed and implemented according to the provisions of this permit; and

I.A.5.i.(i).(g) The primary Standard Industrial Classification (SIC) code that best describes the industrial activity of the facility.

I.A.5.j Notice of Change (NOC) requirements

I.A.5.j.(i) If the owner or operator becomes aware that it failed to submit any relevant facts, or submitted incorrect information, in an NOI, the correct information must be provided to the Division in a NOC within 14 days after discovery. If relevant information provided in the NOI changes (for example, phone number or P.O. Box number) a NOC must be submitted within 14 days of the change.

I.A.5.k Notice of Termination (NOT) requirements

I.A.5.k.(i) The minimum information required on a NOT consists of:

I.A.5.k.(i).(a) Stormwater general permit number;

I.A.5.k.(i).(b) Facility operator information: name, address, city, state, zip code, phone;

I.A.5.k.(i).(c) Facility/site location information: name, address, city, state, zip code, phone; and,

I.A.5.k.(i).(d) Certification statement signed and dated by the Permittee. The certification statement is:

“I certify under penalty of law that all stormwater discharges associated with industrial activity from the identified facility that was authorized by this General Permit have been eliminated or that I am no longer the operator of the facility or construction site. I understand that by submitting this notice of termination, I am no longer authorized to discharge stormwater associated with industrial activity under this general permit, and that discharging pollutants in stormwater associated with industrial activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this Notice of Termination does not release an operator from liability for any violations of this permit or the Clean Water Act.”

I.A.5.l Address for Submittal:

I.A.5.l.(i) All Notices of Intent, Termination, Change, filing fees and any other information required by this permit or the Division shall be submitted to the Division at the following address:

Stormwater Coordinator  
Bureau of Water Pollution Control  
Nevada Division of Environmental Protection  
333 West Nye Lane  
Carson City NV 89706-0851

**I.B** **STORMWATER POLLUTION PREVENTION PLAN (SWPPP)**

I.B.1 Prior to submitting the Notice of Intent and filing fee the SWPPP shall be completed and available for inspection at the project site or operation covered by this permit.

I.B.2 Upon authorization of a submitted NOI, a copy of the signed NOI and the letter of authorization received from the Division shall be included in the SWPPP.

I.B.3 The SWPPP shall be prepared in accordance with good engineering practice and shall consist of project information, BMPs, inspection and maintenance, non-stormwater discharges, and a description of permanent stormwater controls.



- I.B.4 Each of the plan elements must be revised as necessary to maintain accuracy if there are changes in design, components, or process if the SWPPP is found to be insufficient.
- I.B.5 The Division may require modifications to a SWPPP within a specified time frame.
- I.B.6 The Permittee shall make SWPPPs available upon request to the State or local agency approving sediment and erosion plans, or stormwater management plans; local government officials; or the operator of a municipal separate storm sewer receiving discharges from the site for review at the time of an on-site inspection.
- I.B.7 The SWPPP shall include the following minimum elements.
- I.B.7.a Facility Identification:
- I.B.7.a.(i) Permittee: Company or agency, street address, city, state, zip code, and phone number;
- I.B.7.a.(ii) Contact information: Name, street address, city, state, zip code, and phone number;
- I.B.7.a.(iii) Person(s) responsible for implementation of plan;
- I.B.7.a.(iv) Facility Name; and,
- I.B.7.a.(v) Facility Location: Address, City, State, Zip Code, and County.
- I.B.7.b Site Characteristics
- I.B.7.b.(i) Identify actual and potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges from the facility;
- I.B.7.b.(ii) Establish practices and any necessary controls that will prevent or effectively reduce pollution in stormwater discharges from the facility and that ensure compliance with the terms and conditions of this general permit;
- I.B.7.b.(iii) Describe how the selected practices and controls are appropriate for the facility and how each will effectively prevent or lessen pollution;

- I.B.7.b.(iv) Discuss how controls and practices relate to each other such that together they comprise an integrated, facility-wide approach for pollution prevention in stormwater discharges. The discussion may include references to literature or site-specific performance information on the selected controls and practices to demonstrate the appropriateness of each.
- I.B.7.c Non-Stormwater Discharges
- I.B.7.c.(i) All non-stormwater discharges that qualify for permit coverage shall be identified in the SWPPP. The SWPPP shall describe the discharge points and appropriate best management practices (BMPs) for these non-stormwater discharges.
- I.B.7.c.(ii) Investigation for Non-Stormwater Discharges – A survey of potential non-stormwater sources shall be conducted and documented at a minimum of once per calendar year.
- I.B.7.c.(iii) The on-site storm sewer system shall be tested or inspected (e.g. screened for dry weather flows) for the presence of non-stormwater flows at a minimum of once per quarter.
- I.B.7.c.(iv) Procedures shall be evaluated and implemented to eliminate any potential sources that are discovered and that are not permitted.
- I.B.7.c.(v) The SWPPP must ensure that non-stormwater sources are not combined with stormwater discharges from the facility, and are not allowed to enter the separate storm sewer system, unless they are authorized by the Division.
- I.B.7.c.(vi) Certification:
- I.B.7.c.(vii) The SWPPP must include a certification, signed according to Part II of this general permit. The certification shall include:
- I.B.7.c.(vii).(a) Documentation of how the evaluation was conducted, results of any testing, dates of evaluations or tests, and the points in the separate storm sewer system that were observed during the investigation; and
- I.B.7.c.(vii).(b) The investigation for non-stormwater discharges must be completed and the certification must be prepared and made readily available for review by authorized Division personnel upon request.

- I.B.7.c.(viii) Failure to Certify:
- I.B.7.c.(ix) If a part of the on-site storm sewer system can not be reasonably accessed to complete the evaluation, certification shall be provided for the remainder of the system.
- I.B.7.c.(x) Notice of this deficiency must be provided to the Division within 180 days after the NOI is submitted.
- I.B.7.c.(xi) Facilities that contribute non-stormwater discharges to a municipal separate storm sewer system must provide notice of this deficiency to the Division.
- I.B.7.c.(xii) The notice shall include an explanation of why the evaluation could not be performed and a list of all known potential, non-permitted, non-stormwater sources that could not be included in the certification.
- I.B.7.d Description of Potential Pollutants and Sources
- I.B.7.d.(i) The Description of Potential Pollutants shall identify and describe all activities and significant materials that may potentially be pollutant sources and shall include, at a minimum:
- I.B.7.d.(i).(a) Inventory of Exposed Materials – Develop an inventory that lists materials at the facility that may be exposed to precipitation or runoff;
- I.B.7.d.(i).(b) The inventory must include all materials that are handled, stored, processed, treated, or disposed of in a manner that allows exposure to precipitation or runoff. Materials stored in drums, barrels, tanks, and similar containers that are properly closed or sealed, in good structural condition, are not required to be listed in the inventory;
- I.B.7.d.(i).(c) A narrative description must be developed to describe all activities and potential sources of pollutants that may reasonably be expected to add pollutants to stormwater discharges or that may result in dry weather discharges from the storm sewer system; and

I.B.7.d.(i).(d) The above information shall be updated within 30 days following a significant change in the types of materials that are exposed to precipitation or runoff, or significant changes in material management practices that may affect the exposure of materials to precipitation or runoff.

I.B.7.e Site Map

I.B.7.e.(i) A site map (or maps) shall be developed that depicts the following:

I.B.7.e.(i).(a) The location of each outfall covered by the permit;

I.B.7.e.(i).(b) An outline of the drainage area that is within the facility's boundary and that contributes stormwater to each permitted outfall;

I.B.7.e.(i).(c) Locations of connections or discharges to municipal separate storm sewer systems;

I.B.7.e.(i).(d) Locations of all structures (e.g. buildings, garages, storage tanks);

I.B.7.e.(i).(e) Listing and location of structural control devices that are designed to reduce pollution in stormwater runoff;

I.B.7.e.(i).(f) Location of process wastewater treatment units (including ponds);

I.B.7.e.(i).(g) Location of bag house and other air treatment units exposed to precipitation or runoff;

I.B.7.e.(i).(h) Location of surface water bodies (including wetlands);

I.B.7.e.(i).(i) Location of vehicle and equipment maintenance areas;

I.B.7.e.(i).(j) Location of physical features of the site that may influence stormwater runoff or contribute a dry weather flow;

I.B.7.e.(i).(k) Location of processing areas, storage areas, material loading/unloading areas, and other locations where significant materials are exposed to precipitation or runoff; and

I.B.7.e.(i).(I) The site map shall show the flow of stormwater runoff from each of these locations so that the final outfall where the discharge leaves the facility's boundary is apparent.

I.B.7.f Sampling Data

I.B.7.f.(i) The following categories of facilities have stormwater effluent guidelines for at least one of their subcategories: cement manufacturing (40 CFR 411); feedlots (40 CFR 412); fertilizer manufacturing (40 CFR 418); petroleum refining (40 CFR 419); phosphate manufacturing (40 CFR 422); steam electric power generation (40 CFR 423); coal mining (40 CFR 434); mineral mining and processing (40 CFR 436); ore mining and dressing (40 CFR 440); paving and roofing materials (40 CFR 443); and landfills (40 CFR 445). A facility that falls into one of these general categories shall examine the applicable effluent guideline to determine if it is categorized in one of the subcategories that have storm water effluent guidelines. If a facility is classified as one of those subcategories, that facility is subject to the standards listed in the CFR for that category, must sample stormwater discharges from the facility, at a minimum, of once per calendar year;

I.B.7.f.(ii) All lab analysis received from stormwater discharge samples shall be submitted to the Division;

I.B.7.f.(iii) If applicable, all data from the laboratory analyses of stormwater discharge samples shall be summarized;

I.B.7.f.(iv) The summary shall be updated on an annual basis to include the results of all additional analyses;

I.B.7.f.(v) The data summary shall either be included as an attachment to the SWPPP or may be referenced and maintained separately;

I.B.7.f.(vi) The Division may require stormwater discharge sampling by the permittee to determine compliance with the terms of this permit; and,

I.B.7.f.(vii) If sampling is required, the sample must be taken within the first thirty (30) minutes of the discharge where practicable. Where not practicable, the discharge must be samples within the first sixty (60) minutes.

I.B.7.g                      Pollution Prevention Measures and Controls

I.B.7.g.(i)                      Pollution prevention practices that are determined to be reasonable and effective, required by a state or local authority, or necessary to remain compliant with this general permit, shall be implemented.

I.B.7.g.(ii)                      The SWPPP shall include detailed descriptions of the following minimum components and a schedule for implementation:

I.B.7.h                      Good Housekeeping Measures

I.B.7.h.(i)                      A section within the SWPPP shall be developed to ensure areas of the facility that contribute or potentially contribute pollutants to stormwater discharges (e.g. areas around trash dumpsters, storage areas, loading docks, and outdoor processing areas) are maintained in a clean and orderly manner; and,

I.B.7.h.(ii)                      Good housekeeping measures must include measures to eliminate or reduce exposure of garbage and refuse materials to precipitation or runoff prior to their disposal.

I.B.7.h.(iii)                      The good housekeeping measures shall be incorporated as a part of the employee training program.

I.B.7.i                      Spill Prevention and Response Measures

I.B.7.i.(i)                      A section within the SWPPP shall be developed and implemented to prevent spills and to provide for adequate spill response. This section must:

I.B.7.i.(i).(a)                      Identify areas where spills could contribute pollutants to stormwater discharges;

I.B.7.i.(i).(b)                      Develop and implement procedures to minimize or prevent contamination of stormwater from spills (e.g. training equipment operators to inspect for leaks each day during operation of equipment; installation of secondary containment structures around liquid storage tanks and drums; installation of overfill prevention devices on pumps and tanks; modification of material handling techniques; and routine inspection of drums, tanks and other containers);

I.B.7.i.(i).(c)                      Require drums, tanks, and other containers to be clearly labeled and properly sealed or closed;

- I.B.7.i.(i).(d) Require that hazardous waste containers that require special handling, storage, use, and disposal be clearly marked;
- I.B.7.i.(i).(e) Develop and implement specific spill prevention and clean up techniques;
- I.B.7.i.(i).(f) Make the Spill Prevention and Response Measures document available to facility personnel materials and equipment necessary for spill clean up;
- I.B.7.i.(i).(g) Develop and maintain an inventory of spill cleanup materials and equipment; and
- I.B.7.i.(i).(h) Incorporate these measures as a part of the employee training program.
- I.B.7.j Erosion Control Measures
  - I.B.7.j.(i) A section within the SWPPP shall be developed to address soil erosion. Erosion prevention measures and controls shall be evaluated and used as necessary to reduce soil erosion in areas of the facility that have ongoing erosion or potential for soil erosion. The following controls shall be evaluated, at a minimum: soil stabilization through vegetative cover; contouring slopes; paving; and installation of structural controls.
- I.B.7.k Structural Controls
  - I.B.7.k.(i) Physical structures shall be considered and installed along with other pollution prevention measures and controls, as necessary, to reduce pollutants in stormwater discharges. Examples of structural controls that may be utilized include vegetated swales, oil/water separators, settling ponds, and other physical structures.
- I.B.7.l Maintenance Program for Structural Controls
  - I.B.7.l.(i) A section within the SWPPP shall be developed to establish a maintenance program for stormwater structural controls. Oil/water separators, catch basins, sediment ponds, grass swales, berms, and other structural controls shall be inspected on a regular basis.

- I.B.7.l.(ii) Maintenance frequencies must be established for each of the controls at intervals that ensure effective operation. Mechanical equipment that is part of a structural control, such as a stormwater pump, must also be inspected at intervals described in the SWPPP and maintained at intervals necessary to prevent failures that could result in a discharge of pollutants. This section of the SWPPP shall identify qualified personnel to conduct inspections and establish inspection and maintenance schedules. Records must document the estimated volumes of solids removed from catch basins, sediment ponds, and other similar control structures.
- I.B.7.m Miscellaneous / Additional Best Management Practices: The following shall be addressed:
- I.B.7.m.(i) A section within the SWPPP shall be developed to establish BMPs to reduce the discharge and potential discharge of pollutants in stormwater. Development of BMPs shall be based on the activities and potentials for contamination that are identified in of Part I.B of this general permit, "Description of Potential Pollutants and Sources."
- I.B.7.m.(ii) Preventative maintenance shall be considered and included in the SWPPP where appropriate.
- I.B.7.m.(iii) Material handling and storage to minimize exposure of industrial materials shall be considered and included where appropriate.
- I.B.7.n Employee Training Program and Employee Education
- I.B.7.n.(i) A section within the SWPPP shall be developed to establish a training program. Training shall be provided to all employees who are responsible for implementing or maintaining activities identified in the SWPPP. Employee training shall include, at a minimum:
- I.B.7.n.(i).(a) Proper material management and handling practices for specific chemicals, fluids, and other materials used or commonly encountered at the facility;
- I.B.7.n.(i).(b) Spill prevention methods;
- I.B.7.n.(i).(c) The location of materials and equipment necessary for spill clean up;
- I.B.7.n.(i).(d) Spill clean up techniques;



- I.B.7.n.(i).(e) Proper spill reporting procedures; and
- I.B.7.n.(i).(f) Familiarization with good housekeeping measures, BMPs, and goals of the SWPPP.
- I.B.7.n.(ii) The schedule for employee training sessions must be developed based on pollutant potential, employee turnover rate, and may include other factors.
- I.B.7.n.(iii) Training must be conducted at least once per year and records of training activities must be maintained.
- I.B.7.n.(iv) Education must be provided to those employees at the facility that are not directly responsible for implementing or maintaining activities identified in the SWPPP, and that do not participate in the employee training program. At a minimum, these employees must be informed of the basic goal of the SWPPP.
- I.B.7.o Periodic Inspections
  - I.B.7.o.(i) Qualified personnel, who are familiar with the industrial activities performed at the facility, shall conduct periodic inspections to determine the effectiveness of the Good Housekeeping Measures, Spill Prevention and Response Measures, Erosion Control Measures, Maintenance Program for Structural Controls, Best Management Practices, and the Employee Training Program.
  - I.B.7.o.(ii) Periodic inspections must be conducted on a frequency of once per quarter, at a minimum, relating to Specific Requirements for Industrial Activities.
  - I.B.7.o.(iii) The inspections must be documented through the use of a checklist that is developed to include each of the controls and measures that are evaluated.
  - I.B.7.o.(iv) When revisions or additions to the SWPPP are recommended as a result of inspections, a summary description of these proposed changes must be attached to the inspection checklist. The summary must identify any necessary time frames required to implement the proposed changes. The Permittee must make the identified revisions as soon as practicable.

I.B.7.p Quarterly Visual Monitoring

I.B.7.p.(i) Stormwater discharges from each outfall authorized by this general permit must be visually examined on a quarterly basis. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term to ensure consistency. Monitoring must be conducted during daylight hours, samples must be examined in a well lit area, and findings must document observations of color, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution. Any noticeable odors must also be noted. Some examinations, such as an examination for odor and foam, may necessarily be conducted immediately following collection of the sample. All examinations must be performed within a time frame that ensures the sample is representative of the discharge.

I.B.7.p.(ii) Records of quarterly visual monitoring must include the date and time samples were collected and examined, names of personnel that collected and examined the samples, the nature of the discharge (e.g., runoff, snow melt), and the visual quality of the stormwater discharge.

I.B.7.q Records

I.B.7.q.(i) Records for each element in Part I.B of “Pollution Prevention Measures and Controls” shall be included and maintained as an attachment to the SWPPP. Records shall document and describe maintenance activities, inspections, spills, discharge quality, employee training activities, employee education activities, SWPPP updates/modifications, and other events relative to each element.

I.B.8 Management of Runoff

I.B.8.a Velocity Dissipation Devices

I.B.8.a.(i) Discharge velocities must be controlled to the extent necessary to prevent the destruction of the natural physical characteristics of receiving waters by erosion. Velocity dissipation devices may be constructed at discharge points or along channels and other stormwater collection areas that lead to outfalls. Management alternatives to minimize runoff, such as limiting impervious cover, may also be considered.

I.B.9 Comprehensive Site Compliance Evaluation

I.B.9.a Description

I.B.9.a.(i) The comprehensive site compliance evaluation is a required site inspection and an overall assessment of the effectiveness of the current SWPPP. This evaluation is in addition to other routine inspections required by the permit (e.g. inspections of good housekeeping measures, structural controls, and for identification of non-stormwater sources). This evaluation may, however, substitute for a periodic inspection if it is conducted during the regularly scheduled period for the periodic inspection.

I.B.9.b General Requirements

I.B.9.b.(i) The evaluation shall be conducted at least once per year by either one or more qualified employees or designated representatives, who are familiar with the industrial activities performed at the facility and the elements of the SWPPP. The evaluation must include:

I.B.9.b.(i).(a) Inspection of all areas identified in the Inventory of Exposed Materials section of the SWPPP;

I.B.9.b.(i).(b) Inspection of all structural controls, including the maintenance and effectiveness;

I.B.9.b.(i).(c) Inspection of all non-structural controls including BMP effectiveness, good housekeeping measures, and spill prevention;

I.B.9.b.(i).(d) Inspection of all reasonably accessible areas immediately downstream of each stormwater outfall that is authorized under this general permit; and

I.B.9.b.(i).(e) A review of all records required by this general permit.

I.B.9.c Site Compliance Evaluation Report

I.B.9.c.(i) The report must include a narrative discussion of the Permittee's compliance with the current SWPPP. The report shall document the personnel conducting the evaluation, the dates of the evaluation, and any incidents of non-compliance.

- I.B.9.c.(ii) For purposes of this inspection, a non-compliance incident is any instance where an element of the SWPPP is either not implemented, or where specific conditions of the permit are not met.
- I.B.9.c.(iii) If no incidents of non-compliance are discovered, the report shall contain a certification that the facility is in compliance with the SWPPP.
- I.B.9.c.(iv) If the report indicates an incident of non-compliance, the operator shall complete all necessary actions to come into compliance as soon as practicable, but no later than ninety (90) days following the evaluation.
- I.B.9.c.(v) The report shall either be included as a part of the SWPPP or referenced in the SWPPP and be made readily available for inspection and review by the Division upon request.
- I.B.9.d Revision of the SWPPP
  - I.B.9.d.(i) The SWPPP shall be revised to include and address the findings of the Site Compliance Evaluation Report within 30 days following completion of the evaluation. Revisions must include all applicable changes that result from the comprehensive site compliance report and all applicable updates to:
    - I.B.9.d.(i).(a) Elements of the SWPPP that require modification for effectiveness;
    - I.B.9.d.(i).(b) Any additional elements (e.g. structural controls or BMPs) that should be added or modified for prevention of pollution;
    - I.B.9.d.(i).(c) The site map;
    - I.B.9.d.(i).(d) The inventory of exposed materials;
    - I.B.9.d.(i).(e) The description of the good housekeeping measures;
    - I.B.9.d.(i).(f) The description of structural and non-structural controls; and
    - I.B.9.d.(i).(g) Any other element of the plan that was either found to be inaccurate or that will be modified.

I.B.10            Inspection of the Stormwater Pollution Prevention Plan and Site

I.B.10.a            Site Inspection

I.B.10.a.(i)            SWPPP Review - The SWPPP shall be maintained, with a copy of this general permit at the site and be readily available for review by authorized Division personnel upon request. The SWPPP must be modified as often as necessary. Each revision must be dated and all revisions must be retained according to Part II. The Division may determine, following a review or site inspection, that the SWPPP is not sufficient and require that the SWPPP be revised to correct all deficiencies.

I.B.11            General Monitoring and Records Requirements

I.B.11.a            Representative Storm Events

I.B.11.a.(i)            Monitoring, sampling, examinations, and inspections of stormwater discharges that are required as a provision of this general permit shall be conducted on discharges of runoff from a representative storm event. For the purposes of this general permit, a representative storm event is an event with at least 0.1 inch of measured precipitation that occurs with a minimum interval from the preceding measurable storm of at least 72 hours. The 72-hour interval is not required if either the preceding storm event did not yield a discharge that was sufficient for obtaining a sample, or if it is documented in the SWPPP that a less than 72-hour interval is representative for local storm events for the sampling period.

I.B.11.b            Representative Discharges from Substantially Similar Outfalls

I.B.11.b.(i)            If discharges of stormwater through two or more outfalls are substantially the same, sampling and monitoring may be conducted at one of the outfalls, and the results may be reported as representative of the discharge from the substantially similar outfall. Before results may be submitted as representative of discharges from substantially similar outfalls, the SWPPP must include a description of outfall locations and provide justification of why the discharge qualities from the outfalls are substantially similar. To determine if outfalls are substantially similar, the following characteristics of each outfall must be compared:

I.B.11.b.(i).(a)            The industrial activities that occur in the drainage area to each outfall;

- I.B.11.b.(i).(b) Significant materials stored or handled within the drainage area to each outfall; and
- I.B.11.b.(i).(c) The management practices and pollution control structures that occur within the drainage area of each outfall.
- I.B.11.b.(ii) Substantially similar outfalls may not be established for non-stormwater discharges.

**Part II     STANDARD CONDITIONS**

**II.A        OPERATING REQUIREMENTS**

- II.A.1        Proper Operation and Maintenance: The Permittee shall implement all BMPs used to comply with this permit and maintain them in good working order.
- II.A.2        Removed Substances: Solids and other pollutants removed in the course of treatment or control of stormwater shall be disposed of in accordance with applicable laws, regulations, codes, and ordinances.
- II.A.3        Water Quality Standards: There shall be no discharge of substances that cause or contribute to a violation of the water quality standards of the State of Nevada in accordance with Nevada Revised Statute and Nevada Administrative Code 445A.
- II.A.4        Sampling and Analysis: If any samples or measurements are taken pursuant to this permit they shall be representative of the volume and nature of the discharge. Laboratory analyses shall be performed by a State of Nevada certified laboratory. Results from this lab must be provided to the Division in accordance with this permit.
- II.A.5        Test Procedures: Test procedures for analyses of pollutants shall conform to regulations (40 CFR § 136) published pursuant to Section 304(h) of the Act, under which such procedures may be required, unless other procedures are approved by the Division.
- II.A.6        Recording the Results: If any measurement or sample is taken pursuant to this permit, the Permittee shall record the following information:
- II.A.6.a        The exact place, date, and time of sampling
- II.A.6.b        The dates the analyses were performed
- II.A.6.c        The person(s) who performed the analyses
- II.A.6.d        The analytical techniques or methods used, and
- II.A.6.e        The results of all required analyses.

- II.A.7            Adverse Impact: The Permittee shall take all reasonable steps to minimize any adverse impacts to receiving waters from any unauthorized discharge including monitoring as necessary to determine the nature and impact of the unauthorized discharge.

**II.B            ADMINISTRATIVE REQUIREMENTS**

II.B.1            Signature Requirements

- II.B.1.a            Notices of Intent: All notices of intent shall be signed as follows:

- II.B.1.a.(i)            By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

- II.B.1.a.(i).(a)            A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or

- II.B.1.a.(i).(b)            The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

- II.B.1.a.(ii)            For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or

- II.B.1.a.(iii)            For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:

- II.B.1.a.(iii).(a)            The chief executive officer of the agency, or



II.B.1.a.(iii).(b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

II.B.1.b Duly Authorized Representative

II.B.1.b.(i) All Stormwater Pollution Prevention Plans and any other information required by this permit or requested by the Administrator shall be signed by a person described in this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

II.B.1.b.(i).(a) The authorization is made in writing by a person described under Section II.B.1;

II.B.1.b.(i).(b) The authorization specifies either an individual or a position having responsibility for the overall operation of the facility or for environmental matters for the company; and

II.B.1.b.(i).(c) The authorization is submitted to the Division.

II.B.1.c Changes to Authorization

II.B.1.c.(i) If an authorization under Section II.B.1 is no longer accurate because the individual or position has changed, a new written authorization must be submitted to the Division prior to or together with any information signed by the new representative within 30 days.

II.B.1.d Certification

II.B.1.d.(i) Any person signing a document under Section II.B.1. shall make the following certification.

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. I also confirm that a stormwater pollution prevention plan (SWPPP) has been completed, will be maintained at the project site, and that the SWPPP will be compliant with any applicable local sediment and erosion control plans. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are

significant penalties for submitting false information, including the possibility of fines for knowing violations.”

II.B.2 Records Retention

- II.B.2.a All records and information resulting from activities performed pursuant to this permit shall be retained for a minimum of three years after acceptance of the NOT, or longer if required by the Division.

II.B.3 Availability of Reports

- II.B.3.a Except for data determined to be confidential under NRS 445A.665, all reports prepared in accordance with the terms of this permit that have been submitted to the Division shall be available for public inspection at the office of the Division. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in NRS 445A.710.

II.B.4 Continuation of Coverage

- II.B.4.a In accordance with NAC 445A.241, this permit shall remain in effect until reissued, and existing Permittees shall be included in the reissued permit if a new Notice of Intent is submitted prior to the expiration date of this permit. A filing fee is not required for this submittal.

II.B.5 Transfer of Ownership or Control

- II.B.5.a If control or ownership of the Industrial Facility changes, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Division. To transfer permit coverage, the new owner or controller must submit a written request to the Division in accordance with Section I.A.5.d.(i).(c). All transfer of permits shall be approved by the Division.

II.B.6 Annual Fee

- II.B.6.a The Permittee shall remit an annual fee in accordance with NAC 445A.268 on or before July 1 every year.

II.B.7 Right of Entry

- II.B.7.a.(i) The Permittee shall allow representatives of the Division upon the presentation of credentials:

- II.B.7.a.(i).(a) To enter upon the Industrial Facility site or the Permittees premises where any records are kept under the terms and conditions of this permit; and
- II.B.7.a.(i).(b) At reasonable times, to have access to and copy any records kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method used pursuant to this permit; perform activities required to collect information in conducting compliance investigations; and to perform any necessary sampling to determine compliance with this permit or to sample any discharge.
- II.B.8 Penalty for Violation of Permit Conditions
  - II.B.8.a NRS 445A.675 provides that any person who violates a permit condition is subject to administrative and judicial sanctions as outlined in NRS 445A.690 through 445A.705.
- II.B.9 Furnishing False Information and Tampering with Monitoring Devices
  - II.B.9.a Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained by the provisions of NRS 445A.300 to 445A.730, inclusive, or by any permit, rule, regulation or order issued pursuant thereto, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required to be maintained under the provisions of NRS 445A.300 to 445A.730, inclusive, or by any permit, rule, regulation or order issued pursuant thereto, is guilty of a gross misdemeanor and shall be punished by a fine of not more than \$10,000 or by imprisonment. This penalty is in addition to any other penalties, civil or criminal, provided pursuant to NRS 445A.300 to 445A.730, inclusive.
- II.B.10 Permit Modification, Suspension or Revocation
  - II.B.10.a After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:
    - II.B.10.a.(i) Violation of any terms or conditions of this permit
    - II.B.10.a.(ii) Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts, or

II.B.10.a.(iii)            A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

II.B.11            Liability

II.B.11.a            Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal, State or local laws, regulations, or ordinances.

II.B.12            Property Rights

II.B.12.a            The issuance of this permit does not convey any property rights, in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

II.B.13            Severability

II.B.13.a            The provisions of this permit are severable, and if any provision of this permit, or the application of any provisions of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.